



State of Utah

Department of Natural Resources

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Division of Oil, Gas & Mining

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March 17, 2006

CERTIFIED RETURN RECEIPT
7004 2510 0004 1824 3595

Rockwell Construction Products
Mr. Lance Heaton
1565 North Redwood Road
P.O. Box 704
Lehi, Utah 84043

Subject: Amendment of Notice of Intention to Commence Large Mining Operations,
Rockwell Construction Products, Pelican Point Quarry, M/049/011, Utah County,
Utah


Dear Mr. Heaton:

The Division has completed our review of the Amendment of your Notice of Intention to Commence Large Mining Operations for the Pelican Point Quarry, located in Utah County, Utah, received February 17, 2006. After reviewing the information, the Division has determined that the notice meets the qualifications to be considered an amendment, rather than a revision. The attached comments will need to be addressed before approval.

The comments are listed under the applicable Minerals Rule heading; please format your response in a similar fashion and **address only those items requested in the attached technical review** by sending replacement pages of the original mining notice **using redline and strikeout text** and completing and attaching Form MR-REV (available on the Division's web page (<http://ogm.utah.gov>)). After the notice is determined technically complete we will ask that you send us two clean copies of the complete and corrected plan. Upon final approval of the permit, we will return one copy stamped "approved" for your records.

If you have any questions in this regard please contact me or Lynn Kunzler of the Minerals Staff. Please contact us if you wish to arrange a meeting to discuss this review. Thank you for your cooperation in completing this permitting action.

Sincerely,


Susan M. White
Mining Program Coordinator

SMW:LK:pb
Attachment: Review
P:\GROUPS\MINERALS\WP\M049-Utah\M0490011-PelicanPoint\final\Amend1-03172006.doc

**REVIEW OF THE AMENDMENT TO THE NOTICE OF INTENTION TO COMMENCE
LARGE MINING OPERATIONS**

**Rockwell Construction Products
Pelican Point Quarry**

**M/049/011
March 17, 2006**

R647-4-104 - Operator's, Surface and Mineral Ownership

The submittal states that Rockwell controls several acres of State Land. Drawing 647-4(k) identifies more than several acres of State Land adjacent to Rockwell's property. Please indicate the total acres of State Lands presently under lease to Rockwell. (DJ)

Drawing 647-4(b) show that the scale house, a portion of the haulroad , an access road to the upper portion of the quarry and a portion of the quarry are located off areas shown to be under the control of Rockwell. Please identify the owner of these areas and state whether Rockwell presently has right-of-entry into these areas. (DJ)

R647-4-105 - Maps, Drawings & Photographs

105.1 Topographic base map, boundaries, pre-act disturbance

The maps included in this application will need to have elevations added to the contour intervals. (DJ)

The text of the submittal indicates that the property is located in Section 31, T6S, R1E and Section 32, T7S, R1E. Drawing 647-4(k) shows that Sections 31 & 32 are located in T6S, please correct the text to show this change. This drawing also shows that Rockwell controls State Lands located in Section 6, T7S, R1E, please include this area in this description. (DJ)

105.2 Surface facilities map

The application states that the total bonded area is 62.5 acres and has been called the Pre-Disturbed Bond Area (see Disturbed Areas DWG R647-4(B). The Disturbed Area drawing should be identified as DWG 647-4(E) (DJ)

The text indicates that a proposed route of access to the mining operations from the nearest publicly maintained highway is shown on Drawing R647-4(A). There is not a proposed route shown on this map. Please show on this drawing where this access road is located. (DJ)

Drawing 647-4(E) Disturbed Area Map shows an area to the south which is noted as a pre-law disturbance. During an inspection tour of the site in 2004 this area was viewed and it appeared that this area had been impacted by quarry activities since 1975. Before this area can be accepted as a pre-law area, the Division will need to inspect the site and make a determination. All the areas noted on the map as pre-law can be viewed at this time. (DJ)

The plan states that drawing 647-4(F) shows the mining operations at Pelican Point Quarry for the next 10 years. Comparing drawing 647-4(F) to the new drawing 647-4(E) shows that the mining at the site has already expanded beyond the 10- year plan. Please review these maps and project disturbances at the site for the next 10 years based upon the new data. (DJ)

Drawing 647-4(G) reclamation Treatments Map needs to be updated to show treatments that will take place in the new areas as well as the previously approved plan. (DJ & LK)

R647-4-106 - Operation Plan

106.3 Estimated acreages disturbed, reclaimed, annually.

The plan states that surface exploration may occur for some bank run material that could be extracted without blasting. Any exploration that takes place outside the permitted area will need to have an approved exploration permit before the activity can proceed. (DJ)

R647-4-107 - Operation Practices

107.1 Public safety & welfare

107.1.14 Posting warning signs

Warning signs need to be placed around the property warning the public of the hazards at the site. (DJ)

A sign should be placed at the entrance of the site that states the blasting protocol being used at the site. (DJ)

107.1.15 Constructing berms, fences, etc. above highwalls

Fences or berms and signage should be placed above the highwalls to warn the public of the proximity of the mining hazards. (DJ)

107.4 Deleterious material safety stored or removed

Pictures of the fuel tank included in the plan shows that the tank does not have secondary containment. All tanks located on the site (waste oil & fuel) should have secondary containment sufficient to contain 110% of the largest tank. (DJ)

R647-4-109 - Impact Assessment

109.4 Slope stability, erosion control, air quality (fugitive dust control plan), safety

Please provide updated information on your air quality permit. The current one listed in the Notice was issued to Larson Limestone in 1995. (LK)

Initial Review
Page 3 of 3
M/049/011
March 17, 2006

R647-4-111 - Reclamation Practices

111.11 Structures & equipment buried or removed

The removal (reclamation) of the new structures associated with this amendment are not addressed in the revised plan. Please provide plans to reclaim all structures (see also comments under R647-4-112). (LK)

R647-4-112 - Variance

The Notice requested a variance to leave three buildings (the storage and repair building, the processing building, and the high grade storage shed), the silos and fuel storage for the land owner's post mining use in grazing. Since these structures may not be in suitable condition at the time the site is reclaimed (40-50 years from now), the Division questions whether they can be left. Secondly, based on the ownership map, Rockwell now owns the property (the Division was not aware Rockwell is in the grazing business). Please plan to reclaim these structures. If, at the actual time of reclamation they have utility for post mining use and meet local zoning/use requirements, the Division will consider a change in the reclamation plan to leave these structures. (LK)

A variance was previously approved for 2.08 acres of Pre-Act and 0.12 acres of post Act highwalls. Since the area has now been impacted by current mining operations, the justification for this variance appears to be no longer applicable. Please plan to reduce all highwalls to a minimum overall 45- degree slope or provide additional justification to continue this variance. (DJ & LK)

R647-4-113 - Surety

A revised surety amount will be calculated prior to approval of this amendment. The above comments must be addressed adequately before we can reach a tentative approval of this Amendment. (LK)